

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-69306

GHYATH ABAZEED,

Chapter 13

Debtor.

Judge Thomas J. Tucker

ORDER REGARDING APPARENT IMPROPER JOINDER OF DEBTORS

On November 28, 2008, Debtor filed a voluntary petition for relief under Chapter 13, commencing this case. On page 1 of the bankruptcy petition (Docket # 1), in the space which requires Debtor to list "All Other Names used by the Debtor in the last 8 years," Debtor listed "fdba 3 Paisons LLC; fdba Pizzabellas-Hazel Park; fdba 2 Paisons LLC." This makes it appear that the Debtor may have attempted to join an individual and limited liability companies as joint debtors in this bankruptcy case.

A bankruptcy petition may not join two or more non-spousal entities. 11 U.S.C. § 302. A limited liability company is a separate entity from an individual debtor. An individual cannot do business as or be formerly known as a limited liability company. The inclusion of the names of limited liability companies as other names for the individual Debtor is an improper joinder that may cause creditors to wrongly conclude that those entities are actually debtors in this bankruptcy case. This problem must be remedied before the individual Debtor can obtain a discharge.

Therefore, no later than February 26, 2015, the individual Debtor in this case must file an amended bankruptcy petition that removes all reference to any limited liability company, so that it is clear that these entities have not filed bankruptcy in this case.

Further, no later than February 26, 2015, the Debtor must serve on all creditors: (1) a

copy of this Order; (2) a copy of the amended petition; and (3) a notice stating that the only debtor in this case is the individual. Debtor then must file a proof of such service, also no later than 7 days after the entry of this Order.

If Debtor does not timely comply with all of the above requirements, the Court may dismiss this case, without further notice or hearing.

IT IS SO ORDERED.

Signed on February 12, 2015

/s/ **Thomas J. Tucker**
Thomas J. Tucker
United States Bankruptcy Judge